

REMARKS

Claims 1, 2 and 4-7 are pending in this application. By this Amendment, claim 1 is amended to even further distinguish over the applied references. Claims 1 and 7 are amended to remove some features. Claims 4 and 5 are amended to be consistent with amended claim 1. Claim 1 is amended to incorporate the subject matter of claim 3; claim 3 is canceled. No new matter is added.

The Examiner is requested to consider the references identified by the attached Information Disclosure Statement.

Applicant thanks the Examiner for indicating that claim 7 would be in condition for allowance if re-written in independent form. Claim 7 is amended to remove certain features, however, claim 7 is still patentable over the applied references.

The Office Action rejects claims 1-6 under 35 U.S.C. §103(a) over Maeda (U.S. Publication No. 2003/0058351) in view of Minakuti et al. (U.S. Publication No. 2003/0076424) (Minakuti) and further in view of Spaulding et al. (U.S. Patent No. 5,805,213) (Spaulding). The rejection is respectfully traversed.

The applied references fail to disclose or render obvious the combination of features recited by independent claim 1. In particular, the applied references fail to disclose or render obvious a colorimetric calculation part pre-stores respective correspondence relations between a colorimetric result of ambient light and an applicability of white balance adjustment carried out based on the colorimetric result, and when the colorimetric result from the ambient light colorimetric part turns out to be inadequate by referring to the correspondence relations, the colorimetric calculation part carries out an abort of the white balance adjustment based on the ambient light and/or gives a warning which indicates that the ambient light is inadequate to the white balance adjustment, as recited by independent claim 1. Maeda discloses performing a white balance adjustment based on the color temperature

information that is calculated by comparing the color temperature detected by the colorimetric sensor 20 and the color temperature calculated from the image data. See Maeda, paragraphs [0035] and [0036]. Maeda fails to disclose determining the applicability of the detected color information. Thus, Maeda fails to disclose or render obvious the claimed features.

Minakuti discloses a method of determining the applicability of the color component value detected by a colorimeter; however, Minakuti discloses that the applicability is determined by calculating the delta between the color component detected by the colorimeter and the color component calculated from the image data. This difference is subsequently compared to a predetermined threshold value to determine if the detected data is applicable. Thus, Minakuti requires the image to be taken at the time of the determination. Therefore, Minakuti fails to determine the applicability based on pre-stored applicability information.

Further, Minakuti discloses that the colorimeter is disposed apart from the imaging device. Thus, the actual state of the field (as seen by the imager) may not be represented by the color component detected by the colorimeter. For example, the colorimeter may be aimed in a significantly different direction. Thus, Minakuti is unable to determine the state of the field to determine applicability without using the image data obtained by the imaging step. Minakuti is attempting to ascertain whether the color component detected by the colorimeter accurately reflects the actual state of the field. Minakuti is not determining the applicability of the actual state of the field for the white balance adjustment. Therefore, in Minakuti, as long as the color component detected from the colorimeter 2 reflects the actual state of the field, the color component value will be considered applicable when shooting a special type of field (such as a room having red walls) that does not adapt to the auto white balance adjustment.

The Office Action asserts that it would have been obvious for one skilled in the art to have enabled a colorimetric calculation part, as disclosed by Maeda, to pre-store a threshold

value and provide a warning indication as disclosed by Minakuti. This assertion does not consider all features of claim 1 (formerly claim 3). In particular, the assertion ignores the claimed feature that the colorimetric calculation part pre-stores respective correspondence relations between "a colorimetric result of ambient light" and "an applicability of white balance adjustment carried out based on the colorimetric result", as recited by independent claim 1. The claim recites more than merely pre-storing a threshold value. The calculation of Maeda combined with Minakuti would necessitate the image data capture to determine the difference in color component from the detected color component, and therefore the allegedly pre-stored thresholds would reference the comparison of the detected and calculated color components, and would not reference the relations between a colorimetric result of ambient light and an applicability of white balance adjustment carried out based on the colorimetric result. Thus, Maeda in combination with Minakuti fails to disclose or render obvious the combination of features of independent claim 1.

Spaulding is relied upon for disclosing an ambient light meter disposed on the front of a camera; however, Spaulding fails to cure the deficiencies of Maeda and Minakuti discussed above.


Still further, the applied references fail to disclose detecting the possibility of a failure of the white balance adjustment prior to the image capturing event.

Thus, independent claim 1 is patentable over the applied references, whether considered individually or in combination. Claims 2 and 4-7 depend from independent claim 1, and therefore are patentable for at least the same reasons, as well as for the additional features they recite.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of all pending claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



Mario A. Costantino
Registration No. 33,565

MAC:mem

Attachments:

Request for Continued Examination
Petition for Extension of Time
Information Disclosure Statement

Date: April 30, 2008

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
--